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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,289	02/17/2004	Norihisa Ina	50T5650.01	3339

7590 04/04/2005

ROGITZ & ASSOCIATES  
Suite 3120  
750 B Street  
San Diego, CA 92101

EXAMINER
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NATNAEL, PAULO S M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/781,289

**Applicant(s)**

INA ET AL.

**Examiner**

Paulos M. Natnael

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,8-10,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 2-7,11-14 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 8-10, 15, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stalf et al. U.S. Pat. Application Publication No. 2005/0032495 A1 in view of Shibusawa U.S. Pat. Application Publication No. 2005/0022249 A1.

Considering claim 1, Stalf et al. disclose a tuner comprising a gain amplifier B, a mixer C, which mixer outputs the IF signal to filter G and weighting filter E. The weighting filter has, in particular, a passband, which corresponds to the passband of the intermediate frequency filter and at least partly encompasses at least one or two adjacent program channels. (See Abstract) The IF output signal from the filter G is transmitted to a demodulator through output 4.

Stalf et al does not specifically show the demodulator.

Shibusawa discloses a receiver comprising an AGC 4, Gain amplifier 7, detector 5, LPF 8, and demodulator 10, which demodulator sends a control signal to the RF AGC amplifier 4. The terrestrial wave digital broadcasting wave from a transmitting station is inputted to a channel selection filter 6 through an indoor receiving antenna 1 and an

Art Unit: 2614

automatic gain controller 4 in the retransmitter 14, and only a signal having a frequency component corresponding to the channel selected by the digital broadcasting receiver 17 is extracted, and is transmitted toward the digital broadcasting receiver 17 by a retransmission indoor antenna 13 through a variable gain amplifier 7. (See Abstract of the disclosure)

It would have been obvious to the skilled in the art therefore to modify the system of Stalf which clearly suggests a demodulating circuitry by providing the detector 10 of Shibusawa in order to control the operation of the gain amplifier B when a different type of broadcasting signal is received at the RF input 3. Doing so would have a greater control and discrimination capability for the system of stalf et al.

Regarding claim 8, see rejection of claim 1, as claim 8 is a method claim of claim 1.

Regarding claim 9, the claimed SAW filter is met by filter G. (see 0015] pages 1-2;

Regarding claim 10, the claimed gain is met by RF gain output by amplifier B.

Regarding claim 15, see claim 1;

Regarding claim 16, see rejection of claim 1;

### **Allowable Subject Matter**

3. Claims **2-7** and **11-14** and **17** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Armbruster, U.S. 5,774,194 discloses a terrestrial and satellite television reception tuner circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Paulos M. Natnael** whose telephone number is (571) 272-7354. The examiner can normally be reached on Monday-Friday 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMN  
April 2, 2005



**PAULOS M. NATNAEL**  
**PATENT EXAMINER**